

FORMALITIES LETTER



OC000000005052892

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/476,521	01/03/2000	Herbert Gropp	RUM212

Horst M. Kasper
13 Forest Drive
Warren, NJ 07059

Date Mailed: 04/14/2000

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/03/2000 to the Notice to File Missing Parts (Notice) mailed 03/10/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- **The balance due by applicant is \$ 65.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Gropp et al.
Serial No: 09/476,521
Filing Date: January 3, 2000
Title: BUILT-UP CAMSHAFT
Examiner:

Art Unit: 3682

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May 3, 2000

RUM212R4

RESPONSE
TO THE NOTICE IF INCOMPLETE REPLY (NONPROVISIONAL)
Filing Date Granted

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

BOX: Initial Patent Examination Division
Customer Service Center

SIR:

This is in response to the Notice of Incomplete Reply (Nonprovisional) Filing Date Granted mailed April 14, 2000.

The Notice of Incomplete Reply (Nonprovisional) Filing Date Granted states that the U.S. Patent and Trademark Office has received applicant's reply on 01/03/2000 (according the returned postcard stamped by the Mail Room of the U.S. PTO, said reply was received by the U.S. Patent and Trademark Office on April 7, 2000) to the Notice to File Missing Parts (Notice) mailed 03/10/2000 and it has been entered into the nonprovisional application.

The Notice of Incomplete Reply further continues

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May 3, 2000

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that the reply does not include the following items required in the Notice:

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65.00 was not received.
- The balance due by applicant is \$65.00.

The applicants refer to the their reply, i.e. the RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b) as filed on April 7, 2000 (copy enclosed), and submit again that the present application is a CONTINUATION APPLICATION UNDER 37 CFR 1.60 of another US patent application, Serial Number: 09/016,597, filing date: January 30, 1998, where the Declaration and Power of Attorney for Patent Application - German Language Declaration (7 pages) duly executed by all the four inventors was filed in said prior patent application (37 C.F.R. §1.63(d)), and that the applicants have submitted a copy of the aforementioned duly executed German Language Declaration (7 pages) with the Request for Filing a Continuation Application under 37 CFR 1.60 filed with the United States Patent and Trademark Office on January 3, 2000.

Since the present application is a continuation

application under 37 CFR 1.60 of another US patent application in which the applicants have filed a duly executed inventor declaration, and since said declaration has been accepted by the US Patent and Trademark Office the applicants believe that the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed March 10, 2000, as well as the Notice of Incomplete Reply (Nonprovisional) Filing Date Granted mailed April 14, 2000 were issued due to an error of the U.S. Patent and Trademark Office.

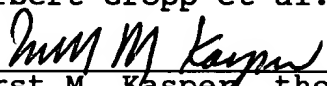
Consequently, it is believed that neither a late fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$ 65.00 are required.

A copy of the Notice of Incomplete Reply (Nonprovisional) Filing Date Granted mailed April 14, 2000 is enclosed.

Respectfully submitted,

Herbert Gropp et al.

By:



Horst M. Kasper, their attorney
13 Forest Drive, Warren, N.J. 07059
Tel. (908) 757-2839; Reg. No. 28,559
Attorney's Docket No.: RUM212

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Gropp et al.

Serial No: 09/476,521

Art Unit: 3682

Filing Date: January 3, 2000

Title: BUILT-UP CAMSHAFT

Examiner:

April 7, 2000

RUM212R3

RESPONSE TO THE NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

BOX: Initial Patent Examination Division
Customer Service Center

SIR:

This is in response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed March 10, 2000 and stating that the oath or declaration is unsigned and that a late fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$ 65.00 for a small entity in compliance with 37 CFR 1.27, must be submitted.

The applicants respectfully submit that the present application is a continuation application under 37 CFR 1.60

S.N.: 09/476,521

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April 7, 2000

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of another US patent application, Serial Number: 09/016,597,
filing date: January 30, 1998, where the Declaration and
Power of Attorney for Patent Application - German Language
Declaration (7 pages) duly executed by all the four
inventors were filed in said prior patent application (37
C.F.R. §1.63(d)).

Furthermore, the applicants have submitted a copy of the aforementioned German Language Declaration (7 pages) with the Request for Filing a Continuation Application under 37 CFR 1.60 filed with the United States Patent and Trademark Office on January 3, 2000, where the first inventor's (Herbert Gropp) signature was placed on page 5 of the German Language Declaration, the second (Dietmar Klose) and third inventor's (Claus-Peter Durlich) signatures were placed on page 6 of the German Language Declaration, and the fourth inventor's (Manfred Janssen) signature was placed on page 7 of the German Language Declaration.

The applicants are submitting once again a copy of the Declaration and Power of Attorney for Patent Application - German Language Declaration (7 pages) as filed in prior application, Serial No. 09/016,597, which was submitted to the U.S. Patent and Trademark Office on January 3, 2000.

COPY


It is believed that the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) was issued due to an error of the U.S. Patent and Trademark Office. Consequently, it is believed that neither a newly executed oath or declaration nor a late fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$ 65.00 are required.

A copy of the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed March 10, 2000, is enclosed.

Respectfully submitted,

Herbert Gropp et al.

By:


Horst M. Kasper, their attorney
13 Forest Drive, Warren, N.J. 07059
Tel. (908) 757-2839; Reg. No. 28,559
Attorney's Docket No.: RUM212

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